
TITLE 832 STATE BOARD OF FUNERAL AND CEMETERY SERVICE

Proposed Rule
LSA Document #14-182

DIGEST

Amends [832 IAC 2-1-2](#) concerning fees. Amends [832 IAC 3-2-1](#) concerning funeral director internship. Amends [832 IAC 3-2-4](#) concerning requirements for a third and subsequent taking of funeral director license examination. Amends [832 IAC 4-1-2](#) concerning continuing education course requirements. Amends [832 IAC 5-1-0.5](#) concerning licensure procedure. Repeals [832 IAC 3-3-5](#). Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[832 IAC 2-1-2](#); [832 IAC 3-2-1](#); [832 IAC 3-2-4](#); [832 IAC 3-3-5](#); [832 IAC 4-1-2](#); [832 IAC 5-1-0.5](#)

SECTION 1. [832 IAC 2-1-2](#) IS AMENDED TO READ AS FOLLOWS:

[832 IAC 2-1-2 Fees](#)

Authority: [IC 25-1-8-2](#); [IC 25-15](#)

Affected: [IC 25-1-8-6](#)

Sec. 2. (a) The fee for application/issuance of a funeral home license under [IC 25-15-4-1](#)(3) is fifty dollars (\$50).

(b) The fee for application/issuance of a funeral director intern license under [IC 25-15-4-2](#)(a)(5) is twenty-five dollars (\$25).

(c) The fee for application/issuance of a funeral director license under [IC 25-15-4-3](#)(b)(7) is fifty dollars (\$50).

(d) The fee for application/issuance of a funeral director license by reciprocity under [IC 25-15-4-5](#) is fifty dollars (\$50).

(e) The fee for application/issuance of a courtesy card under [IC 25-15-10](#) is one hundred fifty dollars (\$150).

(f) The fee to renew a funeral home or funeral branch location license under [IC 25-15-6-2](#) is fifty dollars (\$50).

(g) The fee to renew a funeral director license or embalmer license under [IC 25-15-6-3](#) is fifty dollars (\$50).

(h) The fee to renew a courtesy card under [IC 25-15-10](#) is one hundred fifty dollars (\$150).

(i) Five dollars (\$5) of every fee collected under subsections (a) through (f) shall be deposited in the funeral service education fund.

(j) The fee to renew a funeral director intern license under [IC 25-15-4-2](#)(a)(5) is twenty-five dollars (\$25).

(k) All applicants for any examination administered by the board shall pay a fee of fifty dollars (\$50). The same fee shall be paid for the second and all subsequent examinations. All applicants for an examination provided or administered by a professional examination service shall pay the examination or reexamination fee assessed by the professional examination service directly to the professional examination service.

(l) Fees for reinstatement of an expired license shall be paid in accordance with [IC 25-1-8-6](#).

~~(m) The fee for a duplicate wall certificate is ten dollars (\$10).~~

(n) The fee for verification of licensure to another state or jurisdiction is ten dollars (\$10).

(State Board of Funeral and Cemetery Service; [832 IAC 2-1-2](#); filed Jan 30, 1986, 2:23 p.m.: 9 IR 1367; errata, 9 IR 1380; filed Aug 27, 1987, 2:30 p.m.: 11 IR 93; filed Jun 8, 1989, 4:45 p.m.: 12 IR 1900; errata filed Nov 28, 1989, 3:00 p.m.: 13 IR 677; filed May 20, 1993, 5:00 p.m.: 16 IR 2422; filed Jun 14, 1996, 3:00 p.m.: 19 IR 3100; errata filed Sep 23, 1996, 3:05 p.m.: 20 IR 333; readopted filed May 10, 2001, 2:39 p.m.: 24 IR 3236; filed Mar 28, 2003, 9:45 a.m.: 26 IR 2622; filed Feb 12, 2007, 3:53 p.m.: [20070314-IR-832060112FRA](#); readopted filed Jul 19, 2007, 12:52 p.m.: [20070808-IR-832070048RFA](#); filed Mar 11, 2013, 2:50 p.m.: [20130410-IR-832120198FRA](#); readopted filed Nov 25, 2013, 9:23 a.m.: [20131225-IR-832130288RFA](#))

SECTION 2. [832 IAC 3-2-1](#) IS AMENDED TO READ AS FOLLOWS:

[832 IAC 3-2-1](#) Funeral director internships

Authority: [IC 25-15-9-8](#)

Affected: [IC 25-15-4-2](#); [IC 25-15-4-3](#)

Sec. 1. (a) The one (1) year experience requirement for licensure as a funeral director provided for by [IC 25-15-4-3](#)(b)(6) may only be satisfied during the period of time that the applicant has been licensed as a funeral director intern.

(b) The successful completion of a funeral director internship must include the following:

(1) Working in a funeral home under the direct supervision of a licensed funeral director for at least one thousand five hundred (1,500) hours over a period of at least one (1) year.

(2) Assisting in the embalming of at least twenty-four (24) bodies. ~~at the rate of at least six (6) embalmings per quarter.~~

(3) Assisting in the arrangement, services, and disposition of at least twenty-four (24) bodies. ~~at the rate of at least six (6) bodies per quarter.~~

(c) Upon expiration of a funeral director intern license issued under [IC 25-15-4-2](#), the holder may extend the license for an additional one (1) year by paying the funeral director intern license fee and otherwise meeting the requirements of [IC 25-15-4-2](#).

(State Board of Funeral and Cemetery Service; [832 IAC 3-2-1](#); filed Jan 30, 1986, 2:23 p.m.: 9 IR 1368; filed Mar 13, 1987, 8:30 a.m.: 10 IR 1701; filed Oct 12, 1988, 3:55 p.m.: 12 IR 589; filed Jan 8, 1989, 9:45 a.m.: 12 IR 1388; readopted filed May 10, 2001, 2:39 p.m.: 24 IR 3236; readopted filed Jul 19, 2007, 12:52 p.m.: [20070808-IR-832070048RFA](#); filed Mar 11, 2013, 2:50 p.m.: [20130410-IR-832120198FRA](#); readopted filed Nov 25, 2013, 9:23 a.m.: [20131225-IR-832130288RFA](#))

SECTION 3. [832 IAC 3-2-4](#) IS AMENDED TO READ AS FOLLOWS:

[832 IAC 3-2-4](#) Requirements for third and subsequent takings of funeral director license examination

Authority: [IC 25-15-9-8](#)

Affected: [IC 25-15-5-3](#)

Sec. 4. (a) Following the ~~second~~ **third** failure of the funeral director examination by an applicant for a funeral director license, the applicant must provide proof of completion of five (5) hours of instruction in continuing education courses approved under [832 IAC 4-1](#) before each additional examination attempt.

(b) The continuing education required by subsection (a) must be obtained not earlier than ninety (90) days before the next examination attempt.

(c) The continuing education required by subsection (a) shall be directly related to Indiana funeral service law.

(State Board of Funeral and Cemetery Service; [832 IAC 3-2-4](#); filed Oct 12, 1988, 3:55 p.m.: 12 IR 590; readopted filed May 10, 2001, 2:39 p.m.: 24 IR 3236; readopted filed Jul 19, 2007, 12:52 p.m.: [20070808-IR-832070048RFA](#); filed Mar 11, 2013, 2:50 p.m.: [20130410-IR-832120198FRA](#); readopted filed Nov 25, 2013, 9:23 a.m.: [20131225-IR-832130288RFA](#))

SECTION 4. [832 IAC 4-1-2](#) IS AMENDED TO READ AS FOLLOWS:

[832 IAC 4-1-2](#) Continuing education course requirements

Authority: [IC 25-1-4](#); [IC 25-15-9-8](#)

Affected: [IC 25-15-6-3](#); [IC 25-15-6-5](#)

Sec. 2. To qualify and be included in the continuing education minimum hour requirement, the course must be formally organized, primarily instructional, and contribute directly to professional competence in the practice of funeral service. The following criteria must be met:

- (1) The course and its sponsor must be approved by the board prior to the time it is conducted.
- ~~(2) An outline of the course shall be prepared and distributed to attendees. The outline shall state the number of applicable continuing education hours.~~
- ~~(3)~~ (2) The course is at least one (1) instructional hour of fifty (50) minutes in length.
- ~~(4)~~ (3) The course is conducted by a qualified instructor.
- ~~(5)~~ (4) A continuing education hour rating is determined by the sponsor.
- ~~(6)~~ (5) The course must cover one (1) or more of the following subjects:
 - (A) Business administration.
 - (B) Religion.
 - (C) Natural sciences.
 - (D) Management services-systems, cost, budget, merger and acquisition, data processing, etc.
 - (E) Preneed services.
 - (F) Restorative art/embalming.
 - (G) Funeral service counseling.
 - (H) Funeral service merchandising.
 - (I) Funeral customs.
 - (J) Communicable diseases including transmission, sterilization techniques, and risk education methods in the practice of professional services.
- ~~(7)~~ (6) The course is not given during meals.
- ~~(8)~~ (7) Mandatory annual courses or programs that are taken for the purpose of complying with applicable federal and state laws and regulations of the United States Occupational Safety and Health Administration (OSHA) and the Indiana occupational and safety standards commission are in addition to the continuing education requirements required under this article.

(State Board of Funeral and Cemetery Service; [832 IAC 4-1-2](#); filed Jan 30, 1986, 2:22 p.m.: 9 IR 1373; filed Jun 8, 1989, 4:45 p.m.: 12 IR 1902; filed Jun 18, 1990, 3:39 p.m.: 13 IR 2000; readopted filed May 10, 2001, 2:39 p.m.: 24 IR 3236; readopted filed Jul 19, 2007, 12:52 p.m.: [20070808-IR-832070048RFA](#); filed Mar 11, 2013, 2:50 p.m.: [20130410-IR-832120198FRA](#); readopted filed Nov 25, 2013, 9:23 a.m.: [20131225-IR-832130288RFA](#))

SECTION 5. [832 IAC 5-1-0.5](#) IS AMENDED TO READ AS FOLLOWS:

[832 IAC 5-1-0.5](#) Licensure procedure

Authority: [IC 25-15-9-8](#)

Affected: [IC 25-15-4-1](#); [IC 25-15-9-9](#)

Sec. 0.5. (a) Applications for funeral home licensure shall be filed with the board ~~at least thirty (30) days~~ prior to the date the funeral home is scheduled to open for business.

- (b) The board shall issue a license to any applicant the board or its designee certifies as having:
 - (1) met the licensure requirements specified in this rule and [IC 25-15-4](#);
 - (2) received a satisfactory rating on an inspection under [IC 25-15-9-9](#); and
 - (3) paid the fee specified in [832 IAC 2-1-2](#).

(c) No funeral home shall be operated or be opened for business prior to the issuance of a funeral home license by the board for that funeral home. Violation of this section shall be grounds for denial of licensure.

(State Board of Funeral and Cemetery Service; [832 IAC 5-1-0.5](#); filed Mar 11, 2013, 2:50 p.m.: [20130410-IR-832120198FRA](#); readopted filed Nov 25, 2013, 9:23 a.m.: [20131225-IR-832130288RFA](#))

SECTION 6. [832 IAC 3-3-5](#) IS REPEALED.

[Notice of Public Hearing](#)

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